

1 ALLEN RUBY (Bar No. 47109)
2 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
3 525 University Avenue
4 Palo Alto, California 94301-1908
5 Telephone: (650) 470-4500
6 Facsimile: (650) 470-4570
7 Email: allen.ruby@skadden.com

8 Attorneys for Defendant 3TAPS, INC.

9 Additional Counsel Listed on Next Page

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 CRAIGSLIST, INC., a Delaware corporation,
14 Plaintiff,
15 v.
16 3TAPS, INC., a Delaware corporation;
17 PADMAPPER, INC., a Delaware corporation;
18 and DOES 1 through 25, inclusive.
19 Defendants.

Case No. CV-12-03816 CRB

DECLARATION OF CHRISTOPHER J.
BAKES IN SUPPORT OF DEFENDANT
3TAPS' MOTION TO DISMISS CRAIGSLIST
CAUSES OF ACTION 4, 5, 6, 13 AND 14 RE
EXHIBITS

JURY TRIAL DEMANDED

Judge: Hon. Charles R. Breyer
Date:
Time:
Courtroom: 6

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1 JAMES A. KEYTE (*pro hac vice* application forthcoming)
2 MICHAEL H. MENITOVE (*pro hac vice* application forthcoming)
3 MARISSA E. TROIANO (*pro hac vice* application forthcoming)
4 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
5 Four Times Square
6 New York, New York 10036
7 Telephone: (212) 735-3000
8 Facsimile: (917) 77-3000
9 James.Keyte@skadden.com
10 Michael.Menitove@skadden.com
11 Marissa.Troiano@skadden.com
12

13 CHRISTOPHER J. BAKES (SBN 99266)
14 M. TAYLOR FLORENCE (SBN 159695)
15 LOCKE LORD LLP
16 500 Capitol Mall, Suite 1800
17 Sacramento, California 95814
18 Telephone: (916) 930-2500
19 Facsimile: (916) 930-2501
20 cbakes@lockelord.com
21 tflorence@lockelord.com
22

23 JASON MUELLER (Texas Bar No. 24047571) (*Pro Hac Vice* Pending)
24 LOCKE LORD LLP
25 2200 Ross Avenue, Suite 2200
26 Dallas, Texas 75201
27 Telephone: (214) 740-8844
28 Facsimile: (214) 740-8800
jmueller@lockelord.com

Attorneys for Defendant 3TAPS, INC. AND
DISCOVER HOME NETWORK, INC. d/b/a
LOVELY (“LOVELY”)

1 I, CHRISTOPHER J. BAKES, declare and state as follows:

2 1. I am an attorney licensed to practice law in the State of California, and am an attorney
3 at the law firm of Locke Lord LLP. Our firm represents Defendant 3TAPS, INC. (“3taps”) in this
4 action. The matters stated in this declaration are of my personal knowledge and, if called as a
5 witness, I could and would competently testify thereto. I offer this declaration in support of 3taps’
6 Motion to Dismiss Craigslist Causes Of Action 4, 5, 6, 13 And 14 (“3taps’ Motion to Dismiss”).

7 2. Attached are true and correct copies of the exhibits cited in 3taps Motion to Dismiss,
8 but not contained in reporters:

9 a. Exhibit A: “Screen shot” indicating result when testing Google indexing of
10 craigslist content; “screen shot” indicating results obtained with specified search terms;

11 b. Exhibit B-1: Craigslist Terms of Use (pre-Feb. 2012 version);

12 c. Exhibit B-2: Craigslist Terms of Use (post-Feb. 2012 version);

13 d. Exhibit C: Application and Registration Information for:

14 (1) TX0007547907 retrieved from Library of Congress Public Catalog,
15 Application Title: craigslist website 2012 (Homepage and primary supporting pages) dated
16 July 19, 2012;

17 (2) TX0006866660 retrieved from Library of Congress Public Catalog,
18 Application Title:accounts.craigslist.org 2004 dated September 22, 2004;

19 (3) TX006866658 retrieved from Library of Congress Public Catalog,
20 Application Title: accounts.craigslist.org 2008 dated February 29, 2008;

21 (4) TX0006866662 retrieved from Library of Congress Public Catalog,
22 Application Title post.craigslist.org 2004 dated February 6, 2004;

23 (5) TX0006866661 retrieved from Library of Congress Public Catalog,
24 Application Title post.craigslist.org 2008 dated May 31, 2008; and

25 (6) TX0006866657 retrieved from Library of Congress Public Catalog,
26 Application Title craigslist website 2006 dated June 19, 2006.

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1 e. Exhibit D: "Screen shot" evidencing craigslist.com "clicking continue" on
2 "exclusive licenses" screen.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct.

5 Executed on this 21st day of December, 2012, at Sacramento, California.

6 LOCKE LORD LLP

7
8 By: /s/ Christopher J. Bakes
9 Christopher J. Bakes
10 M. Taylor Florence
11 Jason Mueller
12 Attorneys for Defendant 3TAPS, INC.
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